REMARKS

The Examiner rejected claims 4, 6, 13-18 and 28 under 35 U.S.C. 103(a) as being obvious in view of Pritchard (U.S. Patent 4,491,725).

Applicant respectfully submits that the present invention is distinguishable over the system disclosed in Pritchard on numerous bases. First, the system of Pritchard is intended to be used with old, relatively slow telephone and dial-up modem equipment. While Pritchard makes some self-serving statements about the duration of transmissions of data between the computers employed in the system occurring "rapidly", the reality is that the system of Pritchard would tend to be impractical if relied upon to provide benefits coverage information in advance of deciding to undertake a medical procedure while a participant and a doctor are waiting. This is demonstrated by the fact that the system of Pritchard requires initiation via swiping a magnetic code-embedded card carried by the patient (with the "MEDICARD" card described as carrying the participant's entire medical history), transmitting the data to a server, and then waiting for "a basic yes/no" response to validate whether the MEDICARD is valid, such that the participant has any medical coverage (col. 7, lines 25-32). Then, and only then, the medical care provider must input data into a claim form on the computer, which includes codes that must be converted at some point down stream by the server which has a code converting table to be able to manipulate the data to interact with the computer systems of particular insurance companies. Pritchard's primary focus is on facilitating payment and assignment of rights to insurance payments and Pritchard represents that all its processes can be completed in a period of hours (col. 9, lines 60-62), which is referred to as "rapid processing" (col. 9, lines 65-66).

In contrast, the present claimed invention employs connection of computers via the world wide web for real time provision of information. The present invention doesn't require the MEDICARD or the vast amount of information on such a card to be transmitted by a medical

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care provider merely to receive a yes/no response as to validity of the card, as with Pritchard. Instead, very little participant information is needed, and it is input via a keyboard or mouse on the dental care provider's computer, with a real time response from the other computer via the internet connection. This permits nearly instantaneous feedback of information regarding the participant's benefits coverage including the carrier and plan information. With a procedure input, the dental care provider and patient are virtually immediately made aware of the potential benefits coverage and costs associated with the potential procedure to be performed. This system and method recognize the pace of modern medical offices and, as noted in the previously submitted Declarations, has resulted in highly successful systems in accordance with the invention being widely used in the dental care provider industry.

Applicants amendments herein are fully supported in the Specification and are made for clarification purposes to correct minor informalities, as well as to assist in distinguishing over the prior art. For instance, support for reference to "benefits" or "benefits eligibility" in the amended title and in the amended claims can be found at various points within the Specification (such as at page 1, lines 8-12; page 2, lines 7-8; page 3, lines 3-4, 9-10, 25-26; page 4, lines 3-4, page 11, lines 7-8, etc.), and "benefits" provides a more appropriate term in the context of the present application because not all benefit programs may necessarily be considered to be insurance. Similarly, there are instances where the means for inputting is being further claimed as being a keyboard or a mouse, both of which find support in the Specification (such as at page 7, lines 17-18) more specifically being said
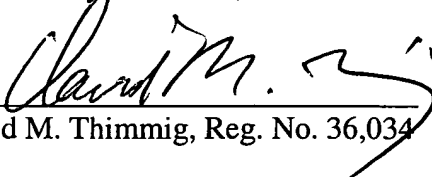
With the amendments herein, Applicant respectfully submits that the pending independent claims 4, 13 and 28 are not anticipated or obvious in view of the prior art, and therefore, are in condition for allowance. Pending dependent claims 6, 14, 16, and 18 add further limitations to the respective patentable independent claims from which they depend and

accordingly also are in condition for allowance. Applicant thanks the Examiner for his consideration of this Amendment and Remarks, and respectfully requests that the Examiner issue a notice of allowance for the above-identified application. If for any reason the Examiner believes a notice of allowance should not be issued, the Examiner is hereby invited to call the undersigned so as to try to determine if there is a way in which this matter can be moved forward without further delay.

This Amendment is being filed within the allotted time period and does not exceed the permitted number of independent and total claims. Accordingly, no fee should be due with this Amendment. Please charge any fees due or credit any over payment associated with this Amendment to Deposit Account No. 13-0019.

Respectfully submitted,

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